

REMARKS

With entry of this amendment, claims 33, 34, 36, 39-41, 44, 46, 51, and 65-93 are pending in this application. Of these claims 33, 34, 39, 40, 46, and 51 stand rejected, claims 36, 41, and 44 have been allowed, and claims 65-93 have been newly added. Claims 1-31 were previously cancelled, and claims 35, 37, 38, 42, 43, 45, 47-50, and 52-64 have been cancelled by this amendment.

Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claim Allowance

For purposes of clarity in claim structure, independent claim 32 has been rewritten to substantially include the limitations of allowed claim 35. As such, claim 32, as well as the claims depending therefrom (claims 33, 34, 36, 39-41, 44, 46, and 51) should be allowable.

New Claims

Applicants submit that claims 65-93, which have been newly added, finds support in the specification, as originally filed, and is patentable over the cited prior art.

In particular, claim 65 depends from independent claim 32, and thus should be allowable for at least the same reasons that claim 32 is allowable.

Independent claim 66 requires a connector that removably attaches the cover to the probe, and independent claim 73 requires a connector that selectively attaches the cover to the probe at different axial positions along the probe. In contrast, to the extent that the disk-shaped proximal end of the cannula 502 illustrated in Fig. 11 can be considered a cover, there is no disclosure of a connector that removably or selectively attaches the disk-shaped object to the probe 510. In the

office action, dated August 20, 2003, the Examiner indicated that LeVeen does disclose a connector that is capable of being selectively attachable at different axial positions along the probe 510.

Applicants, however, can find no such disclosure. As such, claims 66 and 73, as well as the claims depending therefrom (claims 67-72 and 74-79), are believed to be allowable.

Independent claim 80 requires the cover to be adapted to span at least the region of tissue spanned by the deployed electrodes. In contrast, as illustrated in Fig. 14 of LeVeen, the disk-shaped proximal end of the cannula 502 spans a region of tissue much smaller than that spanned by the deployed electrodes, and there would be no apparent reason to increase the size of the proximal end of the cannula 502 to span this increased amount of tissue. As such, claim 80, as well as the claims depending therefrom (claims 81-86), are believed to be allowable.

Independent claim 87 requires a member removably attachable to the probe and having a cover adapted for placement on the tissue surface above the target region without any portion of the member penetrating beneath the tissue surface. In contrast, to the extent that the cannula 502 of LeVeen is a member that is removably attached to the probe 510, the cannula penetrates beneath the tissue surface when its disk-shaped proximal end comes in contact with the tissue surface. As such, claim 87, as well as the claims depending therefrom (claims 88-93), are believed to be allowable.

Conclusion

Based on the foregoing, all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (714) 830-0600.

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Respectfully submitted,

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